

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER 411044.00004
INTERNATIONAL APPLICATION NO. PCT/CA2004/000269	INTERNATIONAL FILING DATE 24 February 2005 (24.02.2005)	U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/590431
TITLE OF INVENTION SPECTROPHOTOMETRIC ANALYSIS OF PLASMA IN A CLOSED-CONTAINER		
APPLICANT(S) FOR DO/EO/US NIR Diagnostics Inc.		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371.</p> <p>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ul style="list-style-type: none"> a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). </p> <p>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ul style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). </p> <p>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ul style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. </p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>		
Items 11 to 20 below concern document(s) or information included: <p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input type="checkbox"/> A preliminary amendment.</p> <p>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p>		

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/590431	INTERNATIONAL APPLICATION NO. PCT/CA2004/000269	ATTORNEY'S DOCKET NUMBER 411044.00004
20. Other items or information: Return receipt postcard		
The following fees have been submitted		
21. <input checked="" type="checkbox"/> Basic national fee (37 CFR 1.492(a))..... \$300		
22. <input type="checkbox"/> Examination fee (37 CFR 1.492(c))		
If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0 All other situations..... \$200		
23. <input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... \$100 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB..... \$400 All other situations..... \$500		
TOTAL OF 21, 22 and 23 = 700.00		
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.		
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)
- 100 =	/50 =	x \$250
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).		
CLAIMS	NUMBER FILED	NUMBER EXTRA
Total claims	14 - 20 =	x \$50
Independent claims	1 - 3 =	x \$200
MULTIPLE DEPENDENT CLAIM(S) (if applicable)		+ \$360
TOTAL OF ABOVE CALCULATIONS = \$ 0		
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by ½.		
SUBTOTAL = \$		
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(l)). + \$		
TOTAL NATIONAL FEE = \$ 700.00		
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property + \$ 0.00		
TOTAL FEES ENCLOSED = \$ 700.00		
Amount to be refunded:		\$
Amount to be charged		\$ 700.00

10/590431
'AP9 Rec'd PCT/PTO 23 AUG 2006

PTO-1390 (Rev. 07-2005)

Approved for use through 3/31/2007. OMB 0651-0021

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

- a. A check in the amount of \$ _____ to cover the above fees is enclosed.
- b. Please charge my Deposit Account No. 17-0055 in the amount of \$ 700.00 to cover the above fees.
A duplicate copy of this sheet is enclosed.
- c. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 17-0055. A duplicate copy of this sheet is enclosed.
- d. Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SIGNATURE

Sara D. Vinarov

NAME

48,524

REGISTRATION NUMBER

SEND ALL CORRESPONDENCE TO:

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Phoenix
West Palm Beach

August 23, 2006

MAIL STOP PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RE: Request for Commencement of the National Stage Under 35 U.S.C. § 371
Applicants: James Samsoondar
PCT/CA2005/000269
Filed: 24 February 2005
For: SPECTROPHOTOMETRIC ANALYSIS OF PLASMA IN A CLOSED-
CONTAINER
Our Ref: 411044.00004

Dear Sir:

Enclosed, please find a Request for examination under 35 U.S.C. § 371, along with a Declaration.

The undersigned hereby certifies that this document is being deposited with the United States Postal Service today, August 23, 2006, by the "Express Mail" service, utilizing Express Mail label number ED 382 933 194 US, addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Please indicate receipt by returning the attached postcard with the official Patent and Trademark Office receipt stamp thereon.

Respectfully submitted,

Enclosures

10/590431

'AP9 Rec'd PCT/PTO 23 AUG 2006'

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date set forth below as Express Mail Label No. ED 382933194 US in an envelope addressed to: Commissioner for Patents, P O Box 1450, Alexandria, VA 22313-1450.

Date of Signature and Deposit: August 23, 2006

Sara D. Vinarov, Reg. No. 48,524

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: James Samsoondar

Date: August 23, 2006

Serial No.:

Art Unit:

Filed:

Examiner:

Title: SPECTROPHOTOMETRIC ANALYSIS OF
PLASMA IN A CLOSED-CONTAINER

File No.: 411044.00004

**REQUEST FOR COMMENCEMENT OF THE NATIONAL STAGE
UNDER 35 U.S.C. § 371**

Mail Stop PCT
Commissioner for Patents
P O Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Enclosed is a completed Form PTO-1390, a Transmittal Letter requesting comment of the National Stage under 35 U.S.C. § 371. Also included is an unsigned Declaration of the inventor.

Pursuant to 37 C.F.R. § 1.495(b)(1), a copy of the international application is not required with this submission because the United State Patent and Trademark Office was designated as the Receiving Office.

Fees are required with this submission and have been calculated on the Transmittal Letter. Please charge all relevant fees to Deposit Account No. 17-0055. No additional fees are believed due, but should any additional fee be required in this or any subsequent response, please charge the fee due to the same Deposit Account

Respectfully submitted,

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